

## Message Text

SECRET

PAGE 01 SALT T 04194 01 OF 02 271907Z  
ACTION SS-25

INFO OCT-01 ISO-00 SSO-00 NSCE-00 DODE-00 CIAE-00

INRE-00 ACDE-00 /026 W

-----271936Z 089600 /47

P R 271622Z MAY 77

FM USDEL SALT TWO GENEVA

TO SECSTATE WASHDC PRIORITY 3308

INFO AMEMBASSY MOSCOW

USMISSION NATO

S E C R E T SECTION 1 OF 2 SALT TWO GENEVA 4194

EXDIS/SALT

THE FOLLOWING IS STATEMENT DELIVERED BY AMBASSADOR EARLE  
AT THE SALT TWO MEETING OF MAY 27, 1977

BEGIN TEXT

MR MINISTER:

I

TODAY I WILL DISCUSS ANOTHER OF OF THE ISSUES WHICH WE  
BELIEVE CAN BE RESOLVED BY THE RENEWED EFFORTS OF THE  
DELEGATIONS. TE SIDES HAVE AGREED IN PARAGRAPH 1 OF  
ARTICLE XVI THAT, FOR THE PURPOSE OF PROVIDING ASSURANCE  
OF COMPLIANCE WITH THE PROVISIONS OF THE NEW AGREEMENT,  
EACH PARTY SHALL USE NATIONAL TECHNICAL MEANS OF VERIFI-  
CATION AT ITS DISPOSAL IN A MANNER CONSISTENT WITH  
GENERALLY RECOGNIZED PRINCIPLES OF INTERNATIONAL LAW.  
OUR MUTUAL OBJECTIVE IS AN ARTICLE WHICH WILL REINFORCE  
CONFIDENCE BETWEEN THE SIDES BY SETTING FORTH CLEARLY  
AND UNAMBIGUOUSLY THE OBLIGATIONS OF EACH SIDE WITH  
RESPECT TO ENSURING THAT THIS VITAL FUNCTION CAN BE  
PERFORMED. ONLY PARAGRAPH 3 OFARTICLE XVI, PERTAINING

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TO DELIBERATE CONCEALMENT, REMAINS UNRESOLVED.

II

THE UNITED STATES BELIEVES THAT ITS PROPOSAL FOR  
PARAGRAPH 3 OF ARTICLE XVI CONTAINS THE BREADTH NECESSARY  
TO ENSURE ADEQUATE VERIFICATION OF COMPLIANCE WITH THE

PROVISIONS OF THE NEW AGREEMENT. IT IS THE UNITED STATES POSITION THAT ALL MEASURES WHICH DELIBERATELY IMPEDE VERIFICATION, INCLUDING ANY SUCH MEASURES ASSOCIATED WITH TESTING, SHOULD BE PROHIBITED. IT IS FURTHER THE UNITED STATES POSITION THAT MUTUAL CONFIDENCE SHOULD BE REINFORCED THROUGH A COMMITMENT BY EACH SIDE TO USE ITS BEST EFFORTS TO AVOID MEASURES AND PRACTICES WHICH RESULT IN UNINTENTIONALLY IMPEDING VERIFICATION BY NATIONAL TECHNICAL MEANS.

THE UNITED STATES HAS INDICATED A WILLINGNESS TO ACCEPT THE LANGUAGE PROPOSED BY THE SOVIET DELEGATION FOR THE FIRST SENTENCE OF PARAGRAPH 3 OF ARTICLE XVI ON THE CONDITION OF AN ACCEPTABLE AGREED STATEMENT. IN THE UNITED STATES VIEW, IT IS PARTICULARLY IMPORTANT THAT THE SIDES RECOGNIZE EXPLICITLY THE APPLICABILITY OF THE NON-CONECEALMENT OBLIGATION TO THE TESTING PHASE OF ARMS DEVELOPMENT. UNDER THE NEW AGREEMENT, FOR EXAMPLE, IT WILL BE NECESSARY TO DISTINGUISH BETWEEN ARMS WHICH ARE TO BE LIMITED BY ONE OR MORE PROVISIONS AND ARMS WHICH ARE NOT TO BE SO LIMITED. IT WILL BE NECESSARY TO DISTINGUISH BETWEEN MIRVED MISSILES AND MISSILES WHICH ARE NOT MIRVED. IT WILL BE NECESSARY TO ESTABLISH ASSOCIATIONS BETWEEN VARIOUS TYPES OF MISSILES AND THEIR LAUNCHERS. IT WILL BE NECESSARY TO DETERMINE THE THROW-WEIGHT AND THE LAUNCH-WEIGHT OF CERTAIN TYPES OF MISSILES. SUCH DETERMINATIONS, AS WELL AS OTHERS, ARE MADE BY NATIONAL TECHNICAL MANS DURING THE TESTING PHASE. IT IS THEREFORE ESSENTIAL TO THE VIABILITY OF THE NEW AGREEMENT THAT THE SIDES UNDERTAKE TO PROHIBIT ANY MEASURES, INCLUDING MEASURES ASSOCIATED WITH TESTING, WHICH

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DELIBERATELY HINDER OR DELIBERATLY IMPEDE VERIFICATION BY NATIONAL TECHNICAL MEANS OF COMPLIANCE WITH THE PROVISIONS OF THE AGREEMENT.

III

THE SOVIET PROPOSAL FOR PARAGRAPH 3 OF ARTICLE XVI AND ITS PROPOSED AGREED STATEMENT WOULD NARROW AND CONSTRAIN THE DELIBERATE CONCEALMENT PROVISION. IN PARTICULAR, DESPITE THE RECOGNIZED IMPORTANCE OF THE TESTING PHASE TO THE VERIFICATION OF COMPLIANCE, THE SOVIET POSITION WOULD EXEMPT CURRENT TESTING PRACTICES FROM CONSIDERATION AS DELIBERATE CONCEALMENT MEASURES. THE OUTCOME WOULD BE TO SANCTION ALL TESTING PRACTICES NOW IN USE AND ANY WHICH MIGHT BE INTRODUCED BEFORE THE DATE THE PROVISION BECOMES EFFECTIVE, EVEN THSE WHICH WOULD DELIBERATELY IMPEDE VERIFICATION OF COMPLIANCE WITH THE NEW AGREEMENT. ON MAY 13, 1977, WE REFERRED TO TWO INSTANCES OF CURRENT TESTING PRACTICES THE INTENT OF WHICH CAN ONLY BE TO CONCEAL,

TO SANCTION SUCH PRACTICES IN THE NEW AGREEMENT WOULD BE A STEP BACKWARD.

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P R 271622Z MAY 77  
FM USDEL SALT TWO GENEVA  
TO SECSTATE WASHDC PRIORITY 3309  
INFO AMEMBASSY MOSCOW  
USMISSION NATO

S E C R E T SECTION 2 OF 2 SALT TWO GENEVA 4194

EXDIS/SALT

WE DO NOT UNDERSTAND THE SOVIET PROOSAL TO LIMIT THE PROHIBTIION OF DELIBERATE CONEALMENT MEASURES TO THOSE MEASURES WHICHH ARE "SPECAIL." THE INSERTION OF THE WORD "SPCIAL" IMPLIES THAT CERTAIN OTHER MEASURES WHICH ARE NOT "SPECIAL" AND WHICH DELIBERATELY IMPEDE VERIFICATION BY NATIONAL TECHNICAL MEANS WOULD BE PERMITTED.

IT IS OUR UNDERSTANDING FROM PREVIOUS SOVIET STATEMENTS THAT "PROVISIONS ASSOCIATED WITH TESTING" IN THE SOVIET DEFINITION OF DELIBERATE CONCEALMENT MEASURES WOULD APPLY TO ALL OF THE PROVISIONS OF THE NEW AGREEMENT. THEREFORE, AS AN EXAMPLE, WE WOULD INTERPRET THE SOVIET PRPOSAL TO APPLY TO PARAGRAPH 7 OF ARTICLE II, THE DEFINITION OF HEAVY ICBMS, EVEN THOUGHTTHAT PARAGRAPH DOES NOT EXPLICITLY MENTION TESTING. IF IN FACT THE SOVIET DELEGATION AGREES THAT THE PROHIBITION ON DELIBERATE CONCEALMENT APPLIES TO ALL OF THE PROVISIONS OF THE AGREEMENT AND THAT IT APPLIES TO THE TESTING PHASE, THEN WE SUGGEST THAT THE WORDS "MEASURES ASSOCIATED WITH TESTING" MORE CLEARLY ESTABLISH THAT OBLIGATION.

FURTHER , THE SOVIET POSITION THAT METHODS OF TRANSMITTING  
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TELEMETRIC INFORMATION DURING TESTING CANNOT BE DELIBERATE CONCEALMENT MEASURES IS AGAIN AT VARIANCE WITH THE FACT THAT DETERMINATIONS ESSENTIAL TO VERIFICATION OF COMPLIANCE ARE MADE DURING THE TESTING PHASE. TELEMETRY IS BUT ONE PART OF THE OVERALL INFORMATION COLLECTED BY NATIONAL TECHNICAL MEANS AND SHOULD NOT BE EXEMPTED FROM THE OBLIGATION.

IV

THE UNITED STATES BELIEVES IN THE IMPORTANCE OF THE PRINCIPLE THAT BOTH SIDES SHOULD AVOID UNINTENTIONAL CONCEALMENT. THE UNITED STATES HAS PROPOSED THAT THE SIDES APPLY THEIR BEST EFFORTS TOWARD THIS END. WE ARE UNCERTAIN AS TO THE REASON FOR SOVIET UNWILLINGNESS TO DATE TO UNDERTAKE SUCH A COMMITMENT.

V

MR. MINISTER, ARTICLE XVI MUST PROVIDE A BASIS FOR REINFORCING CONFIDENCE BETWEEN THE SIDES - A CONFIDENCE WHICH IS ESSENTIAL TO THE NEW AGREEMENT. IT IS OUR BELIEF THAT THE UNITED STATES PROPOSAL WOULD ACHIEVE THIS OBJECTIVE. EARLE

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